

**MINUTES OF
TRIBAL COUNCIL MEETING – REGULAR SESSION
MONDAY, February 12, 2007**

CALL TO ORDER:

Deputy Speaker Hoskin called the meeting to order at 6:00 p.m. in the Tribal Council Chambers, W.W. Keeler Complex.

INVOCATION:

Councilman Keen gave the invocation.

ROLL CALL:

Gayle Miller, Legislative Special Assistant gave roll call. The following members were present:

Buel Anglen	Bill John Baker	Jack Baker
Audra Smoke Conner	Joe Crittenden	Don Garvin
Charles Hoskin	William Johnson	Taylor Keen
Johnny Keener	Jackie Bob Martin	Linda O'Leary
Melvina Shotpouch	David Thornton, Sr.	Cara Cowan Watts
Phyllis Yargee		

A quorum was present to conduct business. Speaker Frailey was unable to attend due to recovering from a recent knee surgery.

APPROVAL OF MINUTES OF PREVIOUS MEETING:

Councilor Buel Anglen moved to approve the minutes of the January 22nd Special Session. Councilor Cowan Watts seconded the motion. Motion carried.

Deputy Speaker Hoskin stated he is seated as Chair tonight because Speaker Frailey had recent knee surgery and that is what prevents her from being here this evening.

STATE OF THE NATION ADDRESS:

Deputy Chief Grayson stated Chief Smith is in Washington D.C. tonight taking care of the work of the Cherokees with the other leaders of the five tribes and he sends his regrets that he cannot be here.

Deputy Grayson requested a moment of silence to reflect on the passing of Wanda Blackfox, Charlie Scott, citizens, friends, and others who have passed from this life in the past weeks. Veterans honored tonight were Lewis Locust, Vincent Locust, and Leslie Locust all from Evening Shade. Cherokee Nation Environmental Department has been chosen by the Environmental Protection Agency to receive the 2005 Clean Air Excellence Award. The awards ceremony will take place on May 9, 2007 in Washington, DC. The following Environmental Department staff was recognized: Ryan Callison, Ken Curtis, April Hathcoat, Jackie Adam, Jeremy Freesie, Danielle Keezie, Nancy John, and Jeanine Hale. Elections were held recently

for the Cherokee Nation Tribal Youth Council. They are the future leaders of the Cherokee Nation and they should be commended for their hard work and dedication to Cherokee Nation. The Tribal Youth Council leaders recognized were John Brookes, President, Michele Locust, District #3 Representative, and Danielle Colt, District #7 serving as the Secretary. Monday, February 19th Cherokee Nation offices will be closed to observe President's Day. A Youth Program Retreat will be held on February 21st at Camp Egan. The Cherokee Nation Marshal Service will be participating in the Polar Bear Plunge which is scheduled for Saturday, February 17th at 11:00 a.m. at the Arrowhead Resort on Highway 10 and this event benefits the Special Olympics. The Cherokee Nation Food Distribution Program will be available to qualified applicants on Thursday, February 22nd from 10:00 a.m. to 2:00 p.m. at the Claremore Exposition Center and on Friday, February 23rd from 12:30 p.m. to 3:00 p.m. at the Nowata Primary Health Care Clinic. He also announced as a reminder that February 14th is Valentines Day.

ACTION OF UNFINISHED BUSINESS:

1) An Act Amending Legislative Act #26-06 Authorizing the Comprehensive Budget for Fiscal Year 2007 – Mod. 3; and Declaring an Emergency/:R#4-07.

Councilor Bill John Baker stated this was a vetoed Act from the last session and it is a budget mod Legislative Act 04-07 which amounts to \$14,896.87. There are many things in this budget but the one item in this budget that is causing the most grief is the balance of the bonuses to the employees.

Councilor Bill John Baker moved to override the veto. Councilor O'Leary seconded the motion.

Councilor Cowan Watts stated she is concerned about how they are handling this issue and she appreciates all that the tribal employees do but they have given Cherokee peoples money something like an additional \$5.3 million dollars in additional salaries and things to tribal employees and its not that they don't deserve it but they did this an analysis three years ago that showed if Cherokee Nation continued at the same rate of salary increases they would consume almost all of the services for the Cherokee people in salaries and overhead. She has a fiscal responsibility to the Cherokee people and yes that includes hundreds of Cherokee citizens that are employees but they have to balance those services and the needs of the Cherokee people as well as the employment package that is provided to Cherokee Nation employees. Unfortunately not everyone is going to win and she doesn't see they have fulfilled their commitment of the \$1000 dollar bonus, she has consulted with outside human resource folks who have told her and she has asked in detail of Ms. Callie Catcher again of what went into the taxes and the overhead that were taken out of those checks just to make sure one more time that she did not miss an opportunity for the staff. She does not see they did anything out of the ordinary. They did everything that was required for government accounting principles for the IRS and what they had to do. Unfortunately for some folks, if they have been doing a great job at work, they missed out on a bigger opportunity because when Chief Smith proposed this one time merit increase, those that are doing their job would have gotten more than the thousand dollars each because it was suppose to be merit based and not across the board as amended by one of the Council members. There would have been more opportunity for some under the proposal by the Chief but unfortunately it has become a political football during campaign season. When she has to balance her fiscal responsibilities for the Tribe as a whole she cannot see adding additional dollars when they are already over \$5 million for additional compensation this year with a significant portion of unplanned

compensation. They really have to weigh their decisions because she knows how it is when a person starts getting adjusted to an income, it means they start expecting that income and there are a lot of problems with that.

Councilor Yargee stated she realizes this is a very emotional and passionate issue in talking about the employees and what's being called a second bonus when indeed she doesn't think the intent of the Council was that it be considered as a second bonus. She feels that someone took liberty in calling it a second bonus and thinks that if one was to go back again and listen to the discussion and debate on the Council's intent, although this was the Chief's initiative to put \$2.1 million into bonuses based on merit. The Council also has an opportunity to say how they would like to designate the money to be spent or appropriate the money to be spent. She would like to point out a couple of things and for her this is not political, she has no political motive asking for a bonus for an employee. She thinks this is the first time and only time the employees have been given a bonus. She did listen to some of the debate and discussion of the last E&F meeting when this was last discussed and unfortunately she was not able to attend that meeting. She did hear that some employees may be more entitled to bonuses rather than our regular full time employees and she would like to point out that there are a lot of events that happen at the Nation that could not happen without our employees. Our employees work the Cherokee Holiday and we would not have the events or the Cherokee Holiday if our employees were not there working. That is preplanning, conducting the event, and going to monthly meetings all year long so that we as tribal members and citizens can come to the Holiday and enjoy those events. They do work weekends, holidays and after hours and she heard that CNE employees were more entitled to a bonus because they work holidays, weekends, after hours and she was an employee before she came to sit on this Council and she saw many people come into that door on the weekend and work and not because they were mandated too but because they enjoyed working and doing the best job they can for the citizens. The employees themselves are a service to the citizens and if it was not for the employees the services could not be delivered into the hands of those citizens and she thinks that is just long overlooked and its due time they got a one time bonus and she doesn't feel it is going to create any expectations especially after listening to the debate and discussion they have had on this issue about this bonus. She thinks that, for herself she is tired of being accused of holding the budget and services hostage. This Council approved this budget mod and they are not the ones holding this hostage. The Council approved it as a majority and they are not the ones vetoing it. She doesn't see how they can stand accused of holding the budget hostage and she don't think that any Tribal Council person drafted a letter and included it in those checks that because of the Tribal Council you got this bonus but she thinks someone else might have done that saying thank you for your work and two individuals recognized that you worked hard this year and because of that you are getting this bonus. She doesn't think the Council did that so she appreciates the Chief being concerned that it might be being used for political gain but she doesn't think this Council gained anything by that. The other thing is that a lot of our employees support elderly parents, help buy medicine, and they support more than one family sometimes on their income because you know what that is the Cherokee way, that is what Ga Du Gi is about and not just simply working together but working so that no one does without and has a quality of life so that we can all go to sleep at night and know that our relatives and family, whether they are relatives by blood or not are taken care of and that we don't have a lot more than they do. She just don't see how this one time thing and adding additional \$300 or whatever it was to make the base amount be \$1000 dollars is going to hurt the tribe and that its withholding it from Cherokee families because our employees are Cherokees first and they are employees second. When they cease to be

employees with the Cherokee Nation they will still be Cherokees, they will still live in Cherokee communities and still be part of Cherokee families.

Councilor Keen stated he could not have said it any better than Councilor Yargee but the debate over his issue in committee was probably the most heart felt and emotional that he has seen in his short time on the Council. He felt they were arguing about how to help Cherokees and he hopes the goal is to help Cherokee people. Someone very wise that he respects in his life told him to sit in this chair is real easy, you need to ask yourself, does it help Cherokees or does it not and he has been around Tahlequah and Cherokee Nation his whole life and he doesn't think you can ever accuse Cherokee Nation employees of being overpaid. He understands economics and he knows the conditions people live in here in the Cherokee Nation and most often it's check to check and if there is anything they can do by administering the budgets and allocating funds to help those people, this was a good solid way to put a dent in these families' lives. The other thing discussed was you are suppose to help one another and be good to one another and that is why he hopes they can keep this a part of this budget mod and override the veto.

Councilor Bill John Baker stated the Council has discussed this with lots of facts and figures and all have been thrown out but some truths are in FY 2005 Cherokee Nation carried over \$25 million dollars that was to go to services for the people of Cherokee Nation and in FY 2006 we carried over \$32 million. These are dollars that come back that should have gone to services and didn't. True the Chief said he had figured in a \$2.1 million dollars for employee bonuses which was an additional because the budget had \$1.2 million for the bonus plan that he called a merit pay. The Chief asked for \$2.1 million additional to that bonus pool which is given out as one Councilor put to the hardest working Cherokees, the ones that are being rewarded for service above and beyond the call of duty. We have looked at those numbers of how those people were being rewarded and the way it worked was some people were getting 15% and some people were getting nothing and unfortunately it was the people at the bottom rung that were getting nothing so that people further up could get bigger bonuses. Some people were getting \$10,000 and \$15,000 thousands while our janitors and what he considers the hardest working Cherokees we have were getting zero. It was said that four to six years that we went through all the salaries of the Cherokee Nation and brought them up to what the state government did. The state government has given three raises since that time and Cherokee Nation was just barely with them six years ago and now last year they gave every employee a \$3000 per year raise and Cherokee Nation didn't do that. They felt they had \$2.1 million dollars the Chief had said was surplus that can be give to our employees and instead of letting it be given out in the merit pool they said let's take \$2.1 million and give the 2100 employees \$1000 each and they knew federal and state taxes would be taken out but what they did not believe is that they would take \$860,000 off the top for indirect cost, which he thinks in this case is writing the checks and for sick leave, comp time. They did not give any employee an extra day of vacation, pay an extra insurance premium or anything out of this \$860,000. There can be arguments that they have to treat every program fairly or that we could have done a pass through but when CNE gives their bonuses they don't have to worry about the indirect cost pool and they truly believed that it was going to get to the people but it didn't so they came up with an extra amount knowing that they were going to take indirect and fringe pool off of it but to go ahead and get the balance of what they believe these employees should have and deserve. Ten Councilors, a majority of the Council say yes and it takes twelve to override the veto and the Chief has consistently vetoed this measure. He wishes they could get this behind them and get it out to the employees because they deserve it and need it. Thousands of hours were donated by our employees during the recent ice storm

and none of the departments have money for overtime. The employees were doing this on their own which is part of being a proud Cherokee Nation employee and they do it because it is the right thing to do. He believes this is the right thing to do and for this Council to belly up. The money is there, it's not going to be a guarantee for next year and it's not going to take us out into the 21st century where we have no services to our people. We owe it to our employees and he wishes just one of the Councilors that have voted against this time after time would see it in their heart to do the right thing and override this veto.

Councilor Thornton stated the Council approved the bonus to be \$1000 dollars and no one has had a bonus since he has been on the Council. They have always gotten merit raises any where from zero to ten/fifteen percent and what he is saying is these people out here work hard, they put extra hours in and sometimes that little bonus they get may change them to start doing a little better job and giving them a one time bonus he doesn't see any problem with it. As far as a merit increase goes, there are a lot of intelligent people working out there and as he goes by and talks to them, this is one of the things they ask him is when they are going to get the rest of the bonus. Your word is your bond and when he gives his word the employees would get \$1000 dollars then that is what he is going to stick with.

Councilor O'Leary stated they have received propaganda letters about how this bonus is going to affect the elderly and why don't we give this money to the elderly. She wants the public to make no mistake that this money does not infringe on the elderly, the disable or the eyeglass program. This money is from another entity that is only providing what should have been done a long time ago in providing some assistance in a bonus to our good and endearing workers at Cherokee Nation.

Roll call is as follows:

William Johnson	<u>Nay</u>	Taylor Keen	<u>Yea</u>
Johnny F. Keener	<u>Yea</u>	Jackie Bob Martin	<u>Nay</u>
Linda O'Leary	<u>Yea</u>	Melvina Shotpouch	<u>Yea</u>
David Thornton, Sr.	<u>Yea</u>	Cara Cowan Watts	<u>Nay</u>
Phyllis Yargee	<u>Yea</u>	Buel Anglen	<u>Nay</u>
Bill John Baker	<u>Yea</u>	Jack D. Baker	<u>Nay</u>
Audra Conner	<u>Yea</u>	Joe Crittenden	<u>Yea</u>
Meredith Frailey	<u>Absent</u>	Don Garvin	<u>Na</u>
Chuck Hoskin	<u>Yea</u>		

The motion to override the veto failed by a vote of ten (10) yeas; six (6) nays. Veto is sustained.

Councilor Yargee moved to amend the agenda to add for consideration a Resolution as item #20 under new business. Councilor O'Leary seconded the motion. Motion carried.

MONTHLY REPORTS:

Housing Authority: Mary James

Mary James reported in the absence of David Southerland who is in Washington, DC attending the National American Indian Housing Council Conference. The Housing Authority Board meeting is scheduled for February 20th at 5:30 and will be held in the Alyene Hogner building

conference room. The board will be considering three policy revisions and one of those pertains to their illegal drug and violent criminal activity policy. Another item being discussed is raising the amount of time a family can receive rental assistance. Currently a family can receive rental assistance for a maximum of twenty-four months if the head of household is going to school or if they are elderly. The board will also consider the payback mortgage assistance if the home is sold before the ten year useful life period is expired. They currently require full payback if the house is sold within the first ten years and they are recommending a pro rata method to the board for their consideration. They currently have 169 employees and 97% are Native Americans.

Councilor Thornton asked about the status of the FEMA trailers. Ms. James stated she has not heard anything on the trailers. Councilor Cowan Watts asked Ms. James to verify whether the trailers have termites or not before they come to Cherokee Nation. Jon Parris, Assistant Attorney General stated he was in attendance at a Housing Authority meeting last week and the Indian Housing representative said the FEMA trailers really weren't available because FEMA was not ready to let go of those yet.

Cherokee Nation Enterprises: David Stewart

David Stewart reported CNE continues to have great financial results and their first quarter of this fiscal year set a record in the history of the company as well as the month of December set a record for net income. Their Native American employment remains strong at 73% and they continue to implement policies and procedures that would increase that. Their employment is currently over 3000 at this point. Cash position is strong as they go into the expansion and there is an item on the agenda tonight that would provide some debt for them in the short term to finish the project. Some months ago the CNE project won an award and Tom Maxwell, CEO of Flintco presented CNE with the National ADC Award for Excellence on the Catoosa Casino and Hotel project from the Associated Builders and Contractors of the United States.

Councilor Thornton inquired as to the contractor at the Roland Travel Plaza. David Stewart stated it is still the same contractor but they are working in taking that over and giving the balance of the contract to Flintco.

Deputy Speaker Hoskin asked if a decision had been made on the electric contract for West Siloam. David Stewart stated there has not been a decision but they have determined that GRDA is not legally allowed to provide CNE services so now it is between the City of Siloam and the Coop. Proposals will be received from each of the entities and they will review those for a decision.

Cherokee Nation Industries: Brian Collins

Brian Collins reported there is a lot of activity going on in the out sourcing of organized wire harnesses which creates jobs and they have engaged another training session of about thirty additional people. They are currently trying to establish recruiting of engineering and additional talent in the specified skills because there is a lot of opportunity for growth in their business segment of aerospace and defense. Fiscal year to date as of January 31st, 2007 had total sales at \$57 million which is 12% greater than fiscal year 2006. Overall estimated profitability is \$1.4 million. The local employment for the Tahlequah and Stilwell area is 262 of which 236 are Native American at 90%. The next board meeting is March 26, 2007 at 3:00 at the Tahlequah Telecom Facility located at 203 East Choctaw.

Councilor Bill John Baker requested Mr. Collins to explain the \$5 million dollar write off that was recommended by the auditors. Mr. Collins stated the \$5 million dollar write off is a breakdown of their investment in GEG stock. It was also partly the investment in the Idling Solutions, and the excess or surplus inventories that have been slow moving or obsolete on a shelf for more than a two year period. The write down on the GEG investment was approximately \$3.6 million at this time.

Cherokee Nation Businesses, Inc: Callie Catcher

Callie Catcher reported Cherokee Connex has been working on negotiating the restructure of their relationship for several months and they entered into an agreement last Friday where CNB will no longer have an ownership interest in Connex. They have written commitments from the partners to complete the Vinita project. CNB will retain the USDA grants which they are planning to work with the Nation's IT department to implement those. The focus when they entered into this partnership with Cherokee Connex was to bring broad band to rural areas and through the restructuring they will receive \$2 million from their partners, \$3.2 million in grants and achieve the goal of rural broad band for five additional communities in northeastern Oklahoma. The Cherokee Nation services group which is an LLC they formed to file 8A applications and they have received notice of their 8A certification. They will be marketing professional and other personnel services to the government under the SBA 8A program. This is something they have worked on internally to develop and they have their shared services group with CNB and this gives them the opportunity to go out and solicit some federal government contracts to leverage for profit for what they do internally for their sister companies. The board meeting for March has not yet been scheduled but as soon as it is scheduled she will send out a notice to the Council.

Councilor Bill John Baker asked on the \$2 million from the partners, are they going to pay the Nation back cash that was put into it or are we going to get a note receivable over a period of time. Callie Catcher stated there will be two cash payments with one due early March and the second payment will be due no later than July 31st of this year.

OLD BUSINESS: (None Pending)

NEW BUSINESS:

- 1) *A Resolution Authorizing the Department of Children, Youth and Family Services to Submit an Application for Transitional Living Services for Youth to the U.S. Family and Youth Services Bureau, Runaway and Homeless Youth Program/R#12-07*

Councilor Shotpouch stated the amount of this grant is \$150,000 with a 10% match. Councilor Shotpouch moved for the approval. Councilor O'Leary seconded the motion. Motion carried unanimously.

- 2) *An Act Relating to Amending Legislative #26-06 Authorizing the Comprehensive Budget for Fiscal Year 2007 – Mod 4; and Declaring an Emergency/LA#06-07*

Councilor Bill John Baker moved for the approval. Councilor Cowan Watts seconded the motion. Motion carried by acclamation.

- 3) ***A Resolution Authorizing Certain Lending Transactions Involving Cherokee Nation Enterprises, a Cherokee Nation Tribal Limited Liability Company and Authorizing a Limited Waiver of Sovereign Immunity/R#13-07***

Councilor O’Leary moved for the approval. Councilor Cowan Watts seconded the motion. Motion carried with opposition from Councilor Shotpouch.

- 4) ***A Resolution authorizing the Cherokee Nation Office of Environmental Programs to Submit a Formal Grant Application to the U.S. Environmental Protection Agency for a Training, Research, and Technical Assistance Related to Methamphetamine Contaminated Brownfield Sites in Indian Country Grant/R#14-07***

Councilor Martin moved for the approval. Councilor Garvin seconded the motion. Motion carried unanimously.

- 5) ***A Resolution Authorizing the Environmental Programs Group to Submit an Application to the U.S. Environmental Protection Agency for a Community Air Toxics Pollution Study /R#15-07***

Councilor Martin moved for the approval. Councilor O’Leary seconded the motion. Motion carried unanimously.

- 6) ***A Legislative Act Related to Title 26 “Elections”, as Amended by LA#39-05; Amending Provisions Concerning Staggered Terms; and Declaring an Emergency /LA#07-07***

Councilor Crittenden stated the purpose of this Act is to establish staggered terms for Tribal Council seats. The terms will be six (6) years and four (4) years beginning in the 2007 elections. Councilor Crittenden moved for the approval. Councilor Conner seconded the motion. Roll call is as follows:

Buel Anglen	<u>Yea</u>	Bill John Baker	<u>Yea</u>
Jack D. Baker	<u>Nay</u>	Audra Smoke-Conner	<u>Yea</u>
S. Joe Crittenden	<u>Yea</u>	Meredith Frailey	<u>Absent</u>
Don Garvin	<u>Yea</u>	Charles “Chuck” Hoskin	<u>Yea</u>
William Johnson	<u>Yea</u>	Taylor Keen	<u>Yea</u>
Johnny F. Keener	<u>Yea</u>	Jackie Bob Martin	<u>Yea</u>
Linda O’Leary	<u>Yea</u>	Melvina Shotpouch	<u>Nay</u>
David Thornton, Sr.	<u>Yea</u>	Cara Cowan Watts	<u>Nay</u>
Phyllis Yargee	<u>Yea</u>		

The motion for approval passed a vote of thirteen (13) yeas; three (3) nays.

- 7) ***A Resolution Confirming the Nomination of William Grass as a Board Member of Cherokee Nation Industries, Inc./R#16-07***

Councilor Cowan Watts moved for the approval of the nomination. Councilor Anglen seconded the motion. Roll call is as follows:

S. Joe Crittenden	<u>Nay</u>	Meredith Frailey	<u>Absent</u>
Don Garvin	<u>Yea</u>	Charles “Chuck” Hoskin	<u>Nay</u>

William Johnson	<u>Yea</u>	Taylor Keen	<u>Yea</u>
Johnny F. Keener	<u>Nay</u>	Jackie Bob Martin	<u>Yea</u>
Linda O’Leary	<u>Nay</u>	Melvina Shotpouch	<u>Nay</u>
David Thornton, Sr.	<u>Nay</u>	Cara Cowan Watts	<u>Yea</u>
Phyllis Yargee	<u>Yea</u>	Buel Anglen	<u>Yea</u>
Bill John Baker	<u>Nay</u>	Jack D. Baker	<u>Yea</u>
Audra Conner	<u>Yea</u>		

The motion for approval of the nomination passed by a vote of nine (9) yeas; seven (7) nays.

8) ***A Resolution Confirming the Nomination of Jim Carson as a Board Member of Cherokee Nation Industries, Inc./R#17-07***

Councilor Crittenden moved for the approval of the nomination. Councilor Martin seconded the motion. Roll call is as follows:

Jackie Bob Martin	<u>Yea</u>	Linda O’Leary	<u>Nay</u>
Melvina Shotpouch	<u>Nay</u>	David Thornton, Sr.	<u>Nay</u>
Cara Cowan Watts	<u>Yea</u>	Phyllis Yargee	<u>Yea</u>
Buel Anglen	<u>Yea</u>	Bill John Baker	<u>Nay</u>
Jack D. Baker	<u>Yea</u>	Audra Conner	<u>Yea</u>
S. Joe Crittenden	<u>Yea</u>	Meredith Frailey	<u>Absent</u>
Don Garvin	<u>Yea</u>	Charles “Chuck” Hoskin	<u>Nay</u>
William Johnson	<u>Yea</u>	Taylor Keen	<u>Nay</u>
Johnny F. Keener	<u>Nay</u>		

The motion for approval of the nomination passed by a vote of nine (9) yeas; seven (7) nays.

9) ***A Resolution Confirming the Nomination of Dennis Dowell as a Board Member of Cherokee Nation Businesses, LLC /R#18-07***

Councilor Crittenden moved for the approval of the nomination. Councilor Bill John Baker seconded the motion. Motion carried with opposition from Councilor O’Leary.

10) ***A Resolution Confirming the Nomination of B. J. Dumont as a Board Member of Cherokee Nation Businesses, LLC /R#19-07***

Councilor Crittenden moved for the approval of the nomination. Councilor Conner seconded the motion. Motion carried unanimously.

11) ***A Resolution Confirming the Nomination of William Grass a Board Member of Cherokee Nation Businesses, LLC /R#20-07***

Councilor Crittenden moved for the approval of the nomination. Councilor Keen seconded the motion. Roll call is as follows:

Bill John Baker	<u>Nay</u>	Jack D. Baker	<u>Yea</u>
Audra Conner	<u>Yea</u>	S. Joe Crittenden	<u>Yea</u>

Meredith Frailey	<u>Absent</u>	Don Garvin	<u>Yea</u>
Chuck Hoskin	<u>Nay</u>	William Johnson	<u>Yea</u>
Taylor Keen	<u>Yea</u>	Johnny F. Keener	<u>Nay</u>
Jackie Bob Martin	<u>Yea</u>	Linda O'Leary	<u>Nay</u>
Melvina Shotpouch	<u>Nay</u>	David Thornton, Sr.	<u>Nay</u>
Cara Cowan Watts	<u>Yea</u>	Phyllis Yargee	<u>Yea</u>
Buel Anglen	<u>Yea</u>		

The motion for approval of the nomination passed by a vote of ten (10) yeas; six (6) nays.

- 12) ***A Legislative Act Amending LA#01-01, "The Cherokee Nation Motor Vehicle Licensing and Tax Code"; Amending Definitions to Provide for Registration of Active Military Personnel and College Students /LA#8-07***

Councilor Crittenden moved for the approval. Councilor O'Leary seconded the motion. Motion carried by acclamation.

- 13) ***A Legislative Act Amending Title 21 of the Cherokee Nation code Annotated – Crimes and Punishments; Adding Section 565; Amending Section 567; and Adding Section 567.1/LA#9-07***

Councilor Cowan Watts moved for the approval. Councilor Garvin seconded the motion. Motion carried by acclamation.

- 14) ***A Legislative Act Amending Title 12 of the Cherokee Nation Code Annotated – Civil Procedure; Adding Provisions for Garnishment /LA#10-07***

Councilor Cowan watts moved for the approval. Councilor Conner seconded the motion. Motion carried by acclamation.

- 15) ***A Resolution Authorizing a Limited Waiver of Sovereign Immunity of Will Rogers Downs, LLC, Cherokee Nation Enterprises, LLC, Cherokee Nation Businesses, LLC, and the Cherokee Nation /R#21-07***

Councilor Cowan Watts stated Resolution #76-05 was passed granting a limited waiver of sovereign immunity in order to comply with the OHRC Conditional License #2005-OHRC-003, however since that time WRD has been issued a new OHRC Conditional Organization, #2006-OHRC-014 that requires a waiver for the 2007 license. The changes are to add a waiver of CNB, LLC, change CNE to CNE, LLC, and make the racing license more consistent with the gaming license. Councilor Cowan Watts moved for the approval. Councilor Anglen seconded the motion. Roll call is as follows:

Phyllis Yargee	<u>Yea</u>	Cara Cowan Watts	<u>Yea</u>
David Thornton, Sr.	<u>Nay</u>	Melvina Shotpouch	<u>Nay</u>
Linda O'Leary	<u>Nay</u>	Jackie Bob Martin	<u>Yea</u>
Johnny F. Keener	<u>Nay</u>	Taylor Keen	<u>Nay</u>
William Johnson	<u>Yea</u>	Chuck Hoskin	<u>Yea</u>
Don Garvin	<u>Yea</u>	Meredith Frailey	<u>Absent</u>
S. Joe Crittenden	<u>Nay</u>	Audra Conner	<u>Yea</u>
Jack D. Baker	<u>Yea</u>	Bill John Baker	<u>Yea</u>

Buel Anglen Yea

The motion for approval passed by a vote of ten (10) yeas; six (6) nays.

- 16) ***A Legislative Act Amending Title 20 of the Cherokee Nation Code Annotated – Courts and Procedure; Amending Section 24: Jurisdiction – General/R#11-07***

Councilor Cowan Watts moved for the approval. Councilor Garvin seconded the motion. Motion carried by acclamation.

- 17) ***A Resolution Approving the Recommendations of the Attorney General for Payment of Attorney Fees from the Arkansas Riverbed Settlement Fund, and Authorizing the Principal Chief to Submit the Amended and Final Payment Plan to the Bureau of Indian Affairs/R#22-07***

Councilor Cowan Watts moved for the approval. Councilor Conner seconded the motion. Motion carried with opposition from Councilor Thornton.

- 18) ***A Resolution Authorizing the Submission of a Juvenile Accountability Discretionary Grant Application/R#23-07***

Councilor Crittenden moved for the approval. Councilor Conner seconded the motion. Motion carried unanimously.

- 19) ***A Resolution Authorizing the Submission of a Tribal Youth Program Grant Application/R#24-07***

Councilor Crittenden moved for the approval. Councilor Jack Baker seconded the motion. Motion carried unanimously.

- 20) ***A Resolution Authorizing the Submission of a Proposal to the U.S. Department of Health and Human Services Administration for Native Americans to Establish an Archive/Research Library/R#25-07***

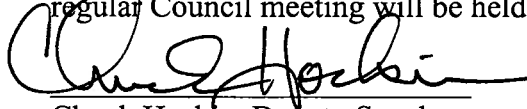
Councilor Yargee moved for the approval. Councilor Conner seconded the motion. Motion carried unanimously.

ANNOUNCEMENTS:

Councilors Thornton, Crittenden, Hoskin and Garvin recognized constituents in attendance from their respective districts.

ADJOURNMENT:

With no further business presented, Councilor Cowan Watts moved for adjournment. The next regular Council meeting will be held on March 12th, 6:00 p.m. at the W.W. Keeler Complex.


Chuck Hoskin, Deputy Speaker
Council of the Cherokee Nation